

PUBLIC INPUT DRAFT
Title 92, Nebraska Administrative Code, Chapter 58
REGULATIONS FOR SECURITY-RELATED INFRASTRUCTURE GRANTS

November 15, 2023

The following is a summary of proposed new rule to Title 92, Nebraska Administrative Code, Chapter 58 (*Regulations for Security-Related Infrastructure Grants*):

- 001 General information
 - The purpose of the proposed rule for the security-related infrastructure grants is to 1) provide guidance and clarity on the eligibility criteria, application process, and the types of projects that will be funded, 2) ensure the grant funds are distributed fairly and equitably among eligible schools and institutions, and 3) support the administration of the security-related infrastructure grant program according to the Administrative Procedure Act. (APA).
- 002 Definitions
 - 002.04 The definition of “contract for security-related infrastructure” means a contract between an educational service unit and a nonpublic school located within the boundaries of the educational service unit in which the educational service unit receives consideration from the nonpublic school in exchange for assistance from the educational service unit related to a security-related infrastructure project benefitting the students of the nonpublic school.
 - 002.08 The definition of “qualifying project” means the purchases, installation, or improvement of list of allowable uses of grant funding. This serves to clearly outline the specific purposes for which the grant funds can be used ensuring that the projects proposed align with the intended goals of the grant program.
- 003 Qualifications
 - School districts and Educational Service Units are eligible to apply for security-related infrastructure grants under this Chapter. School districts can apply on behalf of all schools within the district. Educational service units that have security-related contracts with nonpublic schools can also apply for grants.
- 004 Proposals
 - 004.01 Request for Proposals. The Department will issue a Request For Proposals (RFP) for new or expansion grants for school safety and security program during years in which grant funds are available.
 - 004.02 Proposal Requirements.
 - 004.02A Needs Assessment Survey.
 - 004.02B Stakeholder Engagement.
 - 004.02C Data.
 - 004.02C1 The aggregate percent of students who are in poverty as measured using poverty students as defined in Neb. Rev. Stat. § 79-

- 1003(30) for school districts or, for nonpublic schools, the number of students qualifying for free lunches; and
 - 004.02C2 Data to support any assertion that a challenge from the previous three school years has increased the need for a security-related infrastructure grant.
 - 004.02D Program Narrative.
 - 004.02D1 How funds from the grant will support safe and healthy student outcomes;
 - 004.02D2 The rationale behind selecting the proposed project including the match to the needs assessment and the stakeholder feedback;
 - 004.02D3 For school districts, how grant funds will be divided as evenly as possible among all schools Clarification is added to assure that orders using Appendix A serve as prescriptions for emergency use as described in Neb. Rev. Stat. § 71-2475.
 - 004.02D4 Any anticipated challenges for the implementation of the proposal and a plan to overcome the challenges;
 - 004.02E Timeline.
 - 004.02F Sustainability Plan.
 - 004.02G Evaluation Plan.
- 005 Awarding of the Grants
 - 005.01 Scoring Panel. The Commissioner will select nine individuals knowledgeable in school safety and security to serve on the scoring panel.
 - 005.02 Distribution of Award Amounts. Each proposal that meets the minimum qualifications will result in a base grant award of \$2,000 for each school. The remainder of the available funds after the awarding of base grants will be awarded on a competitive basis.
 - 005.03 Final Determination. The Commissioner will make the final determinations on the awarding of the grants based on the recommendations of the scoring panel and the requirements of Neb. Rev. Stat. § 79-3108 and this Chapter.
- 006 Grants Funds
 - 006.03 Duration of Funding. Any grant funds awarded pursuant to this Chapter must be obligated within one year of the date the funds were received by the school district or educational service unit or be returned to the Department.
- 008 Reports
 - 008.01 Reporting Requirement. On or before December 1 of each calendar year that grants were issued pursuant to this Chapter, the Department will provide a report electronically to the Clerk of the Legislature.
- Appendix A
 - This section includes two sets of Needs Assessment Questions. The initial set consists of twenty-six (26) questions requiring Yes or No responses, while the second set comprises four (4) questions that necessitate short answers.

